

2016 EPA/CDPHE Quarterly NPDES Enforcement and Permits Meeting

EPA Region 8 Conference Center – Juniper Room

Agenda for Thursday, November 3, 2016

10:00 am – 12:00 pm

Permits

- EOY reporting backlog and PPs
- New year goals PPs and backlog status
- New year goals significant permits scheduled for renewal
- Status of EPA permitting program audits?
- Other EPA work plan goals for FFY17. pretreatment permitting, FF permit renewals etc.
- 401 certs. just a quick check in on process
- Nutrients specifically Reg 85
- Reg 61 informational hearing January 2017
- Specific Permit updates
 - CBM
 - Sand and Gravel
 - Construction SW
 - Denver Segment 14 dischargers
 - Peabody Sage Creek Mine

State Review Framework

- Status of report
- Addressing the state's comments

Enforcement

- Significant EPA cases in Colorado
- Significant State cases in Colorado

QACR to

Pretreatment

- Updates on non-approved programs

Inspections *Start w/ PT*

- Educational joint CAFO inspections in September – Any reflection
- EPA Inspections in FY17
 - POTW audits
 - CIU inspections
 - Federal facilities (stormwater, MS4, POTWs)
- CDPHE's inspection plan
 - Letter from DeJong to Rudolph
 - Updates?

Anonymous complaints – protocols for response

Other items?

Colorado Oversight

mks notes

Nathan Moore
David Doherty
Greg Wangle
Kelly Morgan
Jared Kiehn
Al Garcia
Mike Beegle (me)

1/3/2016 State/EPA Only mtg

PDR next year (2017)

Peterson AFR

- DLA and AFR's inspection report to come out next week
- 3 sources of FFOAs: fire suppression, strikes w/ water 3x/yr when engines are emptied
- Governor's office briefed

Jarvis items: high backlog of permits (⁴⁰60% on total)

- GW permit includes EHG 4 co-permittee provisions
- FF permits: Hotchkiss has temp. but there are grab wells than continuous monitoring in EPA's permit (not right, says Jarvis)
- Reg 85 - how will EPA address the apparent absence of nitrate limits in FF permits, versus all the state issued permits that have them.
Al - FFs don't like the downstream monitoring requirement are okay w/ limits

- Small Business Admin. Exemption - Have they communicated w/ David? (David ^{later} said no, but the contact might have happened w/ RRA)

End

* Send comment letter for Springs to Nathan

Kelly's / Brynaut

- * IRG - City/County Diner - As released in violation of permit
- Div. issued cleanup order for GW monitoring to settle lawsuit, trial is necessary

- * London Olive - agreement w/ new owner on penalty
- * Western Slopes (FF Morgan) - Dec 1 deadline in schedule
- Addressed AFR & Recal, state may extend if warranted
- * Union Pacific Moffat Tunnel - benefit discharges next 3/4 mile downstream

Projections

Jan 1 - effective date for S/G permit. 12 facilities have WLAs
DB locate on W. Slope is a bad player (Grand Valley)
Larimer Co. has some w/o TMDLs.

- * David w/ Nathan on S. W. permits we ~~would~~ reject; due to concerns about jurisdictional issues & compl. order state might have given there

Open records - state cannot assure confidentiality if someone challenged
Course of action for me: reducing that risk

- 1) If someone requests anonymity, tell them to call state directly
- 2) Encourage person to call spill line directly, or if can call the line
[for expert discharges]

Distinction: evidence of discharge vs. complaint
→ spill line → send as email

Boeglin, Michael

From: Morgan - CDPHE, Kelly <kelly.morgan@state.co.us>
Sent: Tuesday, December 13, 2016 11:02 AM
To: Boeglin, Michael
Subject: Re: QNCR for 4th Quarter FY16

Hi Michael- sorry for the delay in getting back with you.
Here's what we determined:

Brighton WWTF- The division received a narrative conditions report late on September 13, 2016, however the division failed to enter the receipt date in ICIS. ICIS has been updated accordingly.

CDOT- We determined that this violation was not accurate. The division will revise the information in ICIS accordingly which will resolve the non-compliance.

Fort Carson- this is a federal facility so we don't monitor compliance for it.

Let me know if you have any questions.
Thanks
Kelly

On Tue, Dec 6, 2016 at 7:34 AM, Boeglin, Michael <Boeglin.Michael@epa.gov> wrote:

Hi Kelly,

I reviewed the final QNCR for the July-September quarter. Looking at those facilities designated SNC versus the explanations provided in the past by Mike, I found only three facilities for which an explanation is due. The QNCR is attached.

Thanks in advance for the comments.

Mike

- Brighton WWTF – C40 – Need to complete required work or on-site construction
- CDOT – D80 – Entire DMR overdue for the December 2015 monitoring date
- Fort Carson CO0021181 – D80 – Entire DMR overdue for the May 2016 monitoring date

Michael Boeglin

Water Enforcement Program

U.S. EPA Region 8

303-312-6250

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Kelly Morgan

Environmental Protection Specialist

Enforcement Unit

P 303.692.3634

4300 Cherry Creek Drive South, Denver, CO 80246

kelly.morgan@state.co.us | www.colorado.gov/cdphe/wqcd

24-hr Environmental Release/Incident Report Line: 1.877.518.5608